

First Published in the Wichita Eagle on July 23, 2004

**RESOLUTION NO. 04-367**

RESOLUTION OF FINDINGS OF ADVISABILITY AND  
RESOLUTION AUTHORIZING CONSTRUCTION OF **WATER  
DISTRIBUTION SYSTEM NUMBER 448-89949 (NORTH OF 37TH  
STREET NORTH, WEST OF MAIZE)** IN THE CITY OF WICHITA,  
KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE  
GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA,  
KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF  
CONSTRUCTING **WATER DISTRIBUTION SYSTEM NUMBER 448-89949 (NORTH OF  
37TH STREET NORTH, WEST OF MAIZE)** IN THE CITY OF WICHITA, KANSAS, ARE  
HEREBY MADE TO-WIT:

SECTION 1. That it is necessary and in the public interest to construct **Water  
Distribution System Number 448-89949 (north of 37th Street North, west of Maize)** in the  
City of Wichita, Kansas.

SECTION 2. That the cost of said improvements provided for hereof is estimated to be  
**Two Hundred Thirty-one Thousand Dollars (\$231,000)**, exclusive of the cost of interest on  
borrowed money, with **52** percent of the total cost payable by the improvement district and **48**  
percent payable by the City of Wichita from Water Department Water Utility Improvement  
Funds. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent  
per month from and after **May 1, 2004**, exclusive of the costs of temporary financing.

SECTION 3. That all costs of said improvements attributable to the improvement  
district, when ascertained, shall be assessed against the land lying within the improvement  
district described as follows:

**PRAIRIE POINTE**

Lots 1 thru 37 and 39 thru 42, Block 1

Lots 1 thru 13, Block 2

Lots 1 thru 10, Block 3

Lots 1 thru 33, Block 4

Lots 1 thru 17, Block 5

**UNPLATTED TRACT 'A'**

THE EAST 960 FEET OF THE SOUTH 1320 FEET OF THE SE 1/4 OF SECTION 30,  
TOWNSHIP 26 SOUTH, RANGE 1 WEST OF THE 6TH P.M.; EXCEPT THE NORTH  
920 FEET OF THE WEST 200 FEET AND EXCEPT STREET RIGHT-OF-WAY.

SECTION 4. That the method of apportioning all costs of said improvements  
attributable to the owners of land liable for assessment shall be on a **fractional** basis:

Lots 1 thru 37 and 39 thru 42, Block 1; Lots 1 thru 13, Block 2; Lots 1 thru 10, Block 3; Lots 1 thru 33, Block 4; and Lots 1 thru 17, Block 5, all within PRAIRIE POINTE shall each pay 632/120,120 of the total cost; and that Unplatted Tract 'A' shall pay 48,072/120,120 of the total cost payable by the improvement district.

Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

SECTION 5. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 6. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 7. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 12-6a01 et seq. as amended.

SECTION 8. Be it further resolved that the above described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 9. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

ADOPTED at Wichita, Kansas, July 20, 2004.

---

CARLOS MAYANS, MAYOR

ATTEST:

---

KAREN SUBLETT, CITY CLERK  
(SEAL)